

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

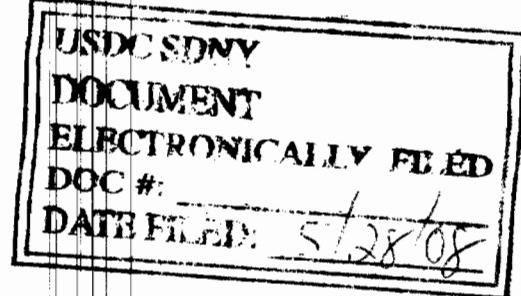
BIPINCHANDRA SHAH,

PETITIONER,

-against-

RLI PARTNERS, LIMITED, LIMITED LIABILITY COMPANY "INVESTMENT LOTTERY COMPANY", LIMITED LIABILITY COMPANY "INVESTMENT FINANCIAL COMPANY 'METROPOL'", AND COMMERCIAL BANK "OBI'EDINENNYI INVESTITSIONNYI BANK" (LIMITED LIABILITY COMPANY),

RESPONDENTS.



Civil Action No.: 08 Civ. 4446 (JES)

ORDER OF ATTACHMENT

Petitioner has moved the Court ex parte for an Order of Attachment against Respondents Commercial Bank "Obi'edinenny Investitsionnyi Bank" (Limited Liability Bank) ("ObiBank") and Limited Liability Company "Investment Financial Company 'Metropol'" ("IFC Metropol"), pursuant to Rule 64 of the Federal Rules of Civil Procedure and Article 62 of the New York Civil Practice Law and Rules ("CPLR"). Petitioner has shown that he has a claim for a money judgment i.e. a claim under the New York Convention to confirm and enforce a foreign arbitral award and that it is probable that Petitioner will succeed on the merits, that Respondents ObiBank and IFC Metropol are foreign corporations not authorized to do business in New York, that the amount demanded from the Respondents exceeds all counterclaims known to the Petitioner.

Therefore, for these reasons, as supported by the showings made in Petitioner's motion for an order of attachment, the Affidavit of John J. Hay, Esq. sworn to on May 13, 2008,

and exhibits thereto, the accompanying Memorandum of Law, the Petition herein, and the Declaration of Bipinchandra Shah dated May 12, 2008, and the exhibits thereto, it is hereby ORDERED, that

1. Petitioner's motion for an order of attachment is granted.
2. The amount to be secured by this Order is \$5,371,447.21.
3. The United States Marshals Service for the Southern District of New York, or any person appointed to act in his place and stead, shall levy within his jurisdiction upon such monies, property, and/or interest in property of Respondents ObiBank and IFC Metropol, as are on deposit with, or held by the garnishees listed in Exhibit A (the "Garnishees"), and said Garnishees shall pay or deliver all such funds, monies, property, and/or interest in property to the Clerk of this Court for the purpose of satisfying any judgment that may be obtained against said Respondents.
4. And further, the Court hereby appoints the following persons to act in the place and stead of the U.S. Marshal for the purpose of serving this Order and effecting the levy ordered hereby: John J. Hay, Esq. counsel for Petitioner.
5. Service of a copy of this Order upon the Garnishees via facsimile, electronic transmission, overnight courier, express mail, or personal delivery, shall be deemed sufficient service thereof.
6. The statement required by CPLR § 6219 shall be served by the Garnishees upon the U.S. Marshall, and a copy served on Petitioner's counsel, within five (5) days after service of this Order.
7. Respondents ObiBank and/or IFC Metropol may move the Court to overturn the Order of Attachment within thirty (30) days of receipt of a copy of this Order.

8. Petitioner shall post a bond in the amount of \$10,000 as security, within ten (10) business days of this Order.

9. Service of a copy of this Order and the papers upon which it was based, upon Respondents ObiBank and IFC Metropol via facsimile, electronic transmission, overnight courier, express mail, or personal delivery, shall be deemed sufficient service thereof.

SO ORDERED.



JOHN E. SPRIZZO
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
May 15, 2008

EXHIBIT "A"

Bank of New York Mellon
One Wall Street
New York, New York 10005
(account number 001426833USD400502)

Citibank, N.A.
One Court Square
Long Island City, New York 11101
(account number unknown)

ABN Amro Bank N.V.
c/o Legal Department
500 Park Avenue
New York, New York 10022
(account number unknown)

American Express Bank
200 Vesey Street
New York, New York 10285
(account number unknown)

Bank of America, N.A.
40 West 57th Street
New York, New York 10019
(account number unknown)

Barclay's Bank PLC
222 Broadway
New York, New York 10038
(account number unknown)

Deutsche Bank AG
60 Wall Street
New York, New York 10005
(account number unknown)

Deutsche Bank Trust Co. Americas
60 Wall Street
New York, New York 10005
(account number unknown)

HSBC Bank USA
120 Broadway
New York, New York 10271
(account number unknown)

JP Morgan Chase Bank, N.A.
One Chase Manhattan Plaza
New York, New York 10005
(account number unknown)

Standard Chartered Bank
One Madison Avenue
New York, New York 10010
(account number unknown)

UBS AG
299 Park Avenue
New York, New York 10171
(account number unknown)

Wachovia Bank
360 Madison Avenue
New York, New York 10017
(account number unknown)